

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-578-D

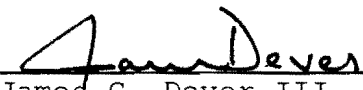
SYLVIA JEAN BATTLE,)
)
Plaintiff,)
) O R D E R
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of)
Social Security,)
)
Defendant.)

This matter is before the court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff's counsel has indicated that he consents to the Government's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for allowance of the claims. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Upon remand, the Commissioner will allow the claims. The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 13 day of June, 2012.



James C. Dever III
United States District Judge